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MAY 22 2006

OFFICE OF PETITIONS

Ken Fisher
5521 Cleon Avenue
North Hollywood, CA 91601

In re Application of:	:	
FISHER, Ken Scott, et al.	:	DECISION ON PETITION FOR
Application No.: 10/065,421	:	REVIVAL OF ABANDONED
Filing Date: October 16, 2002	:	APPLICATION UNDER
Attorney's Docket No.: None	:	37 CFR 1.137(b)
For: INTERMITTENT CONNECTION	:	
PROTECTION FOR EXTERNAL	:	
COMPUTER DEVICES	:	

This is a decision on the petition under 37 CFR 1.137(b) to revive the above-entitled application, filed January 23, 2006.

The petition is **DISMISSED** without prejudice.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.137(b)."

The above-identified application became abandoned for failure to file a proper reply in a timely manner to the non-final Office action mailed May 27, 2005, which set a shortened statutory period for reply of three (3) months. A response was not filed and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, this application became abandoned at midnight on August 27, 2005.

37 CFR 1.137(b) permits the filing of a petition to revive an abandoned application where the abandonment resulted from an unintentional delay. A grantable petition under this section must include: (1) the required reply, unless previously filed; (2) the petition fee required by law; (3) a statement that the "entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional;" and (4) any terminal disclaimer and fee required pursuant to 37 CFR 1.137(c).

The present petition was accompanied by materials satisfying items (1) and (2) above. However, the petition has not been properly signed and therefore is not grantable in its present form. Specifically, the petition was signed by only one of the two applicants, Ken FISHER. Mr. FISHER is not a registered patent attorney or agent. Under these circumstances, pursuant to 37 CFR 1.33(b), papers filed herein must be signed by all of the applicants.

For the same reason, the present petition fails to satisfy item (3) above, that is, it fails to include the required statement of unintentional delay. While the petition form submitted by applicants includes the statement "[t]he entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional," this statement, like the petition itself, is executed only by Mr. FISHER.

Until a properly executed petition and statement of unintentional delay is submitted, the present petition cannot be granted.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
 Commissioner Of Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

By facsimile: (571) 273-0025
 Attn: Office Of Petitions

By hand: Customer Service Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22313

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3296.

A handwritten signature in black ink, appearing to read 'RMR', is positioned above the printed name of the undersigned.

Richard M. Ross
Attorney Advisor